

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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William H.,

No. 23-cv-1737 (KMM/LIB)

Plaintiff,

v.

**AMENDED ORDER**

Martin J. O'Malley,  
*Commissioner of Social Security Admin.*,

Defendant.

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Plaintiff William H. brought this case to challenge the Defendant Commissioner of Social Security's decision denying his applications for disability benefits. This matter is before the Court for consideration of the Report and Recommendation ("R&R") issued by United States Magistrate Judge Leo I. Brisbois on July 29, 2024. Doc. 16. In the R&R, Judge Brisbois recommends that Plaintiff's request for relief be granted, the Commissioner's request for the Court to affirm the administrative decision be denied, and this matter be remanded for further proceedings consistent with the R&R. Defendant had until August 12, 2024 to file objections to the R&R. Fed. R. Civ. P. 72(b)(2); D. Minn. LR 72.2(b)(1). To date, Defendant has not objected.

When a party fails to make timely objections to a magistrate judge's report and recommendation, the district court reviews the magistrate judge's decision for clear error. *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Based on the Court's review of the R&R and the record, the Court finds no error.

Accordingly, **IT IS HEREBY ORDERED THAT**

1. The Report and Recommendation, Doc. 16, is **ACCEPTED**;
2. Plaintiff's request for relief, Doc. 13, is **GRANTED**, as set forth in the Report and Recommendation;
3. The Defendant's request for relief, Doc. 14, is **DENIED**; and
4. This matter is **REMANDED** to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings consistent with the Report and Recommendation.

**Let Judgment be entered accordingly.**

Date: August 21, 2024

*s/Katherine Menendez*

Katherine Menendez  
United States District Judge